

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - RQR-18896 - APPLICANT: PEYMAN MASACHI / OWNER: RANCHO ALLEN, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE MAY 16, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE COUNCIL.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (*or* Variance) shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.
6. The two remaining off-premises advertising billboard signs shall be removed upon the issuance of any grading permit for the site.
7. Before the City Council hearing, the applicant will receive approval of the final inspection from the Building and Safety Department by getting a letter from a registered professional engineer in the State of Nevada saying the billboard is sound.
8. Embellishments are to be removed within 90 days.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required Two-Year Review of an approved Special Use Permit (U-0080-96) which allowed four (4) 40-foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Signs adjacent to the east side of Rancho Drive, south of Coran Lane.

The subject off-premise advertising (billboard) signs are not considered appropriate. There have not been final inspections conducted for the off-premise advertising (billboard) signs subsequent to the issuance of permits; therefore, all city requirements have not been satisfied. Additionally, both off-premise advertising (billboard) signs contain embellishments. Denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/18/87	The City Council approved a Variance (V-0012-87) for an Off-Premise (Billboard) Sign. The Zoning Board of Adjustment recommended approval on 02/26/87.
09/18/96	The City Council approved a Special Use Permit (U-0080-96) for an Off-Premise (Billboard) Sign. The Zoning Board of Adjustment recommended approval on 08/27/96.
11/07/01	The City Council approved a Required Five-Year Review [U-0080-96(1)] of the Special Use Permit (U-0080-96) which allowed the four Off-premises Advertising (Billboard) Signs on this site subject to a two-year review. The Planning Commission and staff recommended approval on 09/20/01.
03/02/05	The City Council approved a request for a Required Two-Year Review of an approved Special Use Permit (U-0080-96) which allowed four (4) 40-foot tall, 14-foot x 48-foot Off-premises Advertising (Billboard) Signs. The Planning Commission recommended approval. Staff recommended denial.
03/08/07	Site inspections were conducted and photographs were taken depicting embellishments on both signs.
04/12/07	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #80/ng).
<i>Related Building Permits/Business Licenses</i>	
12/12/96	Building permits were issued for the subject signs. Final inspections were not conducted.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this request, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this request, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	21.98

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	C-2 (General Commercial)
North	Casino	North Las Vegas	North Las Vegas
South	Trailer Park	SC (Service Commercial)	Clark County
East	Single Family Residential	GC (General Commercial) M (Medium Density Residential)	C-2 (General Commercial)
West	Commercial	M (Medium Density Residential) R (Rural Density Residential)	R-4 (High Density Residential) R-E (Residence Estates)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
West Las Vegas Plan	X		Y or N
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Off-Premise Advertising (Billboard) Sign	Minimum 300-foot distance separation from any other off-premise sign	400 feet to another Off Premise Sign; 680 feet between subject signs	Y

Separation from Residential	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	670 feet from existing "R" zoned property.	Y
Location	No off-premise sign may be located within the public right-of-way	Not in right-of-way	Y
Zoning	Off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-2 (General Commercial) zoning district	Y
Area	No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The north and south faces are each 672 square feet.	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 40 feet from grade	Y
Setback	Off-premise signs shall not be located closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.	The subject sign is set back approximately 300 feet from the nearest intersection.	Y
Screening	All structural elements of an off-premise sign to which the display panels are attached shall be screened from view.	Screened	Y
Other	All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; located on strictly commercial property	Y

ANALYSIS

This is the third review of the subject Special Use Permit (U-0080-96). The original application approved a total of four off-premise advertising (billboard) signs on the subject property. Currently only two of those off-premise advertising (billboard) signs remain. This review will cover both of those off-premise advertising (billboard) signs.

Currently both of the subject off-premise advertising (billboard) signs contain embellishments on each sign face in the form of an additional message posted above the standard advertising space. It is also noted that, although building permits were issued for the off-premise advertising (billboard) signs, final inspections were not conducted. Therefore, all city requirements have not been satisfied. Denial of this request is recommended.

FINDINGS

The subject off-premise advertising (billboard) signs are not considered appropriate. There have not been final inspections conducted for the off-premise advertising (billboard) signs; therefore, all city requirements have not been satisfied. Additionally, both off-premise advertising (billboard) signs contain embellishments. Denial of this request is recommended.

PLANNING COMMISSION ACTION

The Planning Commission added conditions #6-8 as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 441 by City Clerk

APPROVALS 0

PROTESTS 0